

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION-COLUMBUS**

EFSTRATIOS HADJIKONSTANTINOU	)	
52 Broughton Ave	)	
Bloomfield, New Jersey 07003	)	
	)	
Plaintiff,	)	No.2:10-cv-00002
	)	
vs.	)	JURY DEMAND ENDORSED HEREON
	)	
CREDIT BUREAU COLLECTION	)	VERIFIED CIVIL COMPLAINT
SERVICES, INC.	)	(Unlawful Debt Collection Practices)
236 E. Town Street	)	
Columbus, Ohio 43215	)	
	)	
Defendant.	)	

**VERIFIED COMPLAINT**

EFSTRATIOS HADJIKONSTANTINOU (Plaintiff), by his attorneys, KROHN & MOSS, LTD., alleges the following against CREDIT BUREAU COLLECTION SERVICES, INC. (Defendant):

1. Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, *15 U.S.C. 1692 et seq.* (FDCPA).

**JURISDICTION AND VENUE**

2. Jurisdiction of this court arises pursuant to *15 U.S.C. 1692k(d)*, which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy," and *28 U.S.C. 1367* grants this court supplemental jurisdiction over the state claims contained therein.
3. Defendant conducts business and is located in the State of Ohio, and therefore, personal jurisdiction is established.

4. Venue is proper pursuant to 28 *U.S.C. 1391(b)(1)*.
5. Declaratory relief is available pursuant to 28 *U.S.C. 2201 and 2202*.

### **PARTIES**

6. Plaintiff is a natural person residing in the Bloomfield, Essex County, New Jersey.
7. Plaintiff is a consumer as that term is defined by 15 *U.S.C. 1692a(3)*, and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 *U.S.C. 1692a(5)*.
8. Defendant is a debt collector as that term is defined by 15 *U.S.C. 1692a(6)* and sought to collect a consumer debt from Plaintiff.
9. Defendant is a national corporation with its headquarters in Columbus, Franklin County, Ohio.
10. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

### **FACTUAL ALLEGATIONS**

11. The original creditor of Plaintiff's alleged debt is Verizon Wireless and the amount of the alleged debt is approximately eight-hundred dollars (\$800.00).
12. Defendant constantly and continuously places collection calls to Plaintiff seeking and demanding payment for the alleged debt.
13. Defendant contacts Plaintiff from telephone number (888) 413-0093 around two (2) times a day seeking and demanding payment for the alleged debt.

**COUNT I**  
**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT,**  
**(FDCPA), 15 U.S.C. § 1692 et seq.**

14. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692c(a)(1) by contacting Plaintiff at a time and place known to be inconvenient.
- b. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse the Plaintiff in connection with the collection of a debt.
- c. Defendant violated §1692d(5) of the FDCPA by causing a telephone to ring repeatedly and continuously with the intent to annoy, abuse, and harass Plaintiff.

**WHEREFORE**, Plaintiffs respectfully pray that judgment be entered against the Defendant for the following:

15. Declaratory judgment that Defendant's conduct violated the Fair Debt Collection Practices Act,

16. Statutory damages pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*,

17. Actual damages,

18. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*

19. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

By: /s/ Peter Cozmyk  
Peter Cozmyk,  
Attorney for Plaintiff

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**DEMAND FOR JURY TRIAL**

PLEASE TAKE NOTICE that Plaintiff, EFSTRATIOS HADJIKONSTANTINOU, hereby demands trial by jury in this action.

**VERIFICATION OF COMPLAINT AND CERTIFICATION**


(STATE OF NEW JERSEY)

Plaintiff, EFSTRATIOS HADJIKONSTANTINOU, says as follows:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, EFSTRATIOS HADJIKONSTANTINOU, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Dated: 1/1/2010

  
EFSTRATIOS HADJIKONSTANTINOU  
Plaintiff